

AUG 30 2005



SILVERBROOK RESEARCH Pty Ltd

393 Darling Street Balmain NSW 2041 Australia

PO Box 207 Balmain NSW 2041 Australia

Phone: +61 2 9818 6633 Fax: + 61 2 9818 6711

Email: info@silverbrookresearch.com

ACN 066 573 671

FACSIMILE MESSAGE

Date 31 August, 2005
To: Group Receptionist Art Unit 3628
Fax No.: 0011 1 571 273 8300
Subject: United States Patent Application No. 09/517,539
Inventors/Assignors: Simon Robert Walmsley and Paul Lapstun
Assignee: SILVERBROOK RESEARCH PTY LTD
Our Ref: AUTH01US
Total Number of Pages (including this) 7

Attached is a response to the Office Action of July 05, 2005, of Examiner NGA B Nguyen.

Regards

Leonie News

Leonie News
Silverbrook Research Pty Ltd

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission

7

Application Number	09/517,539
Filing Date	March 02, 2000
First Named Inventor	Simon Robert Walmsley
Art Unit	3628
Examiner Name	NGA B Nguyen
Attorney Docket Number	AUTH01US

ENCLOSURES (Check all that apply)

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Remarks Email: kia.silverbrook@silverbrookresearch.com Telephone: 61-2-9818-6633 Facsimile: 61-2-9555 7762		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	<i>Simon Robert Walmsley and Paul Lapstun</i>		
Printed name	Simon Robert Walmsley and Paul Lapstun		
Date	08/31/05	Reg. No.	

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Signature	<i>Simon Robert Walmsley and Paul Lapstun</i>		
Typed or printed name	Simon Robert Walmsley and Paul Lapstun	Date	08/31/05

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AUG 30 2005

In the United States Patent and Trademark Office

Serial Number: 09/517,539
Application Filed: March 02, 2000
Applicant: Simon Robert Walmsley and Paul Lapstun
Application Title: Validation Protocol and System
Examiner/GAU: NGA B Nguyen

Dated August 31, 2005
At: Balmain, NSW
Docket No. AUTH01US

REPLY

Commissioner for Patents
Washington, District of Columbia 20231

Dear Sir:

The Office Action of July 05, 2005, has been carefully considered. It is respectfully submitted that the issues raised are traversed, being hereinafter addressed with reference to the relevant headings appearing in the Detailed Action section of the Office Action.

Claim Rejections – 35 USC § 103

At page 2 of the Office Action, the Examiner rejects claims 1, 2, 4, 6, 7, and 11 as being unpatentable over Shigenaga (US Patent No. 4,710,613) in view of Lee (US Patent No. 5,923,759).

Reconsideration and withdrawal of this rejection is respectfully requested in light of the following comments.

The Applicant respectfully submits that a skilled person in the art would not be motivated to combine Shigenaga with Lee as the cited documents teach very opposing authentication systems. Additionally, as required under MPEP at 2143, "*...there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.*"

Shigenaga discloses:

- Card terminal generating a random number and encrypts twice;
- Card terminal sending encrypted data to card IC;
- Card IC decrypting the encrypted data and determines the random number;
- Card IC sending determined random number back to card terminal; and,
- Card terminal comparing both the time of processing, and the original and received random numbers to determine authenticity.